

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

REGINA IRVING,

PLAINTIFF,

vs.

ACTING COMMISSIONER OF SOCIAL  
SECURITY,

DEFENDANT.

CASE NO. 1:16-cv-1391

JUDGE SARA LIOI

**ORDER OF DISMISSAL**

Before the Court is the report and recommendation of the Magistrate Judge in the above-entitled action. (Doc. No. 18.) Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. [ . . . ]

28 U.S.C. § 636(b)(1).

The R&R was filed on June 9, 2017. Under Fed.R.Civ.P. 6(d), an additional three days are added when computing service, making objections due June 26, 2017, which fell on a Monday.

No objections were filed on or before that deadline. The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a *de novo* determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985), *reh'g denied*, 474 U.S. 1111 (1986); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Magistrate Judge recommended affirming the defendant's final decision denying plaintiff's application for disability insurance benefits and supplemental security income, finding

it supported by substantial evidence. No objections having been heard, the Court adopts the recommendation and dismisses this matter with prejudice.

**IT IS SO ORDERED.**

Dated: June 30, 2017

  
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**HONORABLE SARA LIOI**  
**UNITED STATES DISTRICT JUDGE**